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To: "Walter F. Vogl Ph. D. (E-mail)" <wvogl@samhsa.gov>  
Date: 7/2/04 4:49PM  
Subject: Revised SAMHSA Guidelines; Docket # 04-7984

Hi Walt,

In response to the request for comments regarding the proposed revisions (Docket # 04-7984), I would like to offer the following comments:

As a practicing forensic toxicologist for over thirty-three years I would like to applaud your offices' heroic efforts in addressing the scientific and technical issues associated with the testing of hair, sweat and oral fluid in addition to urine specimens (i.e. alternative testing for drugs). However, I believe three issues (page 19677 - Oral Fluid) deserve more scientifically defensible insightful consideration:

1. Collection by spitting in a bottle seems to overlook convenient collection by any of the numerous FDA-cleared collection devices in current use such as the Intercept DOA Oral Specimen Collection Device (OraSure Technologies) or equivalent, that was used in at least one comprehensive study published in JAT, Vol. 26, p.541. This study concluded that oral testing (using the Intercept device) produced "equivalent results to urine testing".

2. Collection of a urine specimen at the same time as an oral fluid specimen when testing for marijuana (due to environmental contamination). Because further studies in print in JAT support a thirty minute time period for the clearance of this environmental contamination the "science to differentiate between actual use and environmental contamination" is indeed currently available to the scientific community for scrutiny and evaluation.

3. Not to allow oral fluid testing for follow-up and return to duty testing is perhaps the most baffling to me because "drugs can be detected in oral fluids within one hour of use, thus making oral fluids useful in detecting very recent drug use". Especially in light of the JAT article from 2002 listed above and the fact that there was remarkable correlation between these two fluids, I find it imperative to look at oral fluids testing as a means to rule out previous use as a viable defense for federal workplace drug testing.

Thank you for the opportunity to respond to this important Federal Register revision.

Sincerely,

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